

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

| | | |
|----------------------------------|---|----------------------------------------|
| UNITED STATES OF AMERICA, |) | Criminal Case No. 3:94cr00041-4 |
| |) | |
| v. |) | 2255 FINAL ORDER |
| |) | |
| JOSEPH EDWARDS MONROE. |) | By: Norman K. Moon |
| |) | United States District Judge |

For the reasons stated in the Opinion and Order entered July 24, 2012 (Docket No. 298), it is hereby **ORDERED** that Monroe's petition for writ of *error coram nobis* (Docket No. 292) is **CONSTRUED** as a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 and the Clerk is **DIRECTED** to docket it as such; Monroe's § 2255 motion is **DISMISSED without prejudice** as an unauthorized successive motion; and this action is **STRICKEN** from the active docket of the court.

Further, finding that Monroe has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this order to the parties.

ENTER: This 25th day of July, 2012.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE